Approved for use (riralgit 07/3 1/2000, Olive 01/3 1/2000)

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.			Complete If Known					
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).				Application Number 10/606,		137 (Conf. No. 3971)		
FEE TRANSMITTAL				Filing Date				
						/. Zyzak et al	:	
for FY 2005				Examiner Name). Hendricks	CENTRAL FAX CEN	TER
Applicant claims small entity status. See 37 CFR 1.27				Art Unit	1761		CENTRAL	`- ^-
TOTAL AMOUNT OF PAYMENT (\$)520.00				Attorney Docket No.	9043M	XL	AUG 3 1 20	Ŋ
METHOD OF PAYMEN								
Check Credit	Card N	Money Order	None	Other (please	identify):			
Deposit Account	Deposit Account	Number: <u>06-1075</u>	(Order No	. 004041-0006)Deposit	Account Name:	Fish & Neave		
For the above ider	tified deposit :	account, the Direc	tor is here	by authorized to: (chec	k all that appl	y)		
Charge fee(s)	indicated bek	ow .			indicated bel	ow, except for the	e filing fee	
Charge any a	dditional fee(s) or underpaymen	ts of fee(s	Credit any ov	erpayments			
WARNING: Information on ti	l 1.16 and 1.1 his form may be	ecome public. Cred	it card info	matton should not be in	reluded on this	form. Provide cred	dit card	
information and authorization	n on PTO-2038		•	<u></u>				
FEE CALCULATION	DOLL AND	EVALUATION:	FFF6		,, , , , , , , , , , , , , , , , , , , 			
1. BASIC FILING, SEA	FILING F			CH FEES	EXAMINA	ATION FEES	1	
		mall Entity	0041	Small Entity		Small Entity		
Application Type	Fee (\$)	Fee (\$)	Fee (\$)		Fee (\$)	Fee (\$)	Fees Paid (\$)	
Utility	300	150	500	250	200	100		
Design	200	100	100	50	130	65	·	
Plant	200	100	300	150	160	80		
Reissue	300	150	500	250	600	300		
Provisional	200	100	0	0	0	0		
2. EXCESS CLAIM FE			-	RECEIN	/FD	8	mall Entity	
Fee Description				OIPE/I		Fee (\$)	Fee (S)	
Each claim over 20 (inc	luding Reiss	sues)		O., C/1.	-11	50	25	
Each independent clain)	SEP 0 1	2005	200	100	
Multiple dependent cla					2003	360	180	
			es Paid (\$)		<u>Multiple Dépé</u> Fee (5)	endent Claims Fee Paid (\$)		
HP = highest number of total of		greater than 20						
Indep. Claims	Extra Cla		i) <u>Fee</u>	s Paid (\$)	••			
- 3 or HP		х	=_	·				
HP = highest number of indep	endent claims p	aid for, if greater tha	n 3		•			
3. APPLICATION SIZE	FEE							
If the specification	and drawing	s exceed 100 al	neets of p	paper (excluding elec	tronically fi	iled sequence or	computer	
listings under 37 C	FR 1.52(e)),	the application	size fee	due is \$250 (\$125 fo	or small enti	ty) for each addi	inonal 50	
	hereof. See extra Sheets	35 U.S.C. 41(a)	(1)(G) az x of each	nd 37 CFR 1.16(s). additional 50 or fract	ion thereof	Fee (\$)	Fee Paid (\$)	
- 100 =	Kira Sileots	/50 =	(n	ound up to a whole nur	nber) . x	- SELECT	=	
4. OTHER FEE(S)			·				Fee Pald (\$)	
Non-English Speci	fication, \$	130 fee (no sma	ll entity	discount)				
Other (e.g., late fil	ing surcharge	e): Statutory Di	sclaimers	(Four (4))			520.00	
SUBMITTED BY								
	Hongs	~~ <u>~</u>		Registration No. 31,06 Attorney/Agent)	59	Telephor	ne 212-596-91100	
Name (Print/Type) Leffre				yu sgunty		Date Au	gust 31, 2005	

This collection of information is required by 37 CFR 1.138. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and supmitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

F-521

Approved for use through U/31/2008. UMS 0631-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.				Complete If Known					
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).				Application Number	10/606,	10/606,137 (Conf. No. 3971)			
FEE TRANSMITTAL for FY 2005				Filing Date	June 25	5, 2003	0000		
				First Named Invento	David V	/. Zyzak et al	. RECEIV	CENTER	
				Examiner Name		. Hendricks	CENTRAL FAS	CENTE	
Applicant claims small entity status. See 37 CFR 1.27				Art Unit	1761	····	AUG 3	1 2005	
TOTAL AMOUNT OF PAYMENT (\$)520.00			Attorney Docket No.	9043M	ΧL				
METHOD OF PAYMEN			· · · · · · · · · · · · · · · · · · ·						
Check Credit	Card	Money Order	Non	e Other (picas	e identify):				
Deposit Account	Deposit Accoun	t Number: <u>06-1075</u>	(Order No	o. 004041-0006)Dapos	it Account Name:	Fish & Neave			
For the above-ider	ıtified deposit	account, the Dire	ctor is here	eby authorized to: (che	eck all that apply	y)			
Charge fee(s) indicated bel	ow		Charge fee(s) indicated belo	w, except for the	e filing fee		
Charge any a	dditional fee(s	s) or underpaymen	nts of fee(s	Credit any o	overpayments				
under 37 CFF WARNING: Information on ti Information and authorization	his form may b	ecome public. Cre	dit card inf			form. Provide cred	dit card		
FEE CALCULATION									
1. BASIC FILING, SEA	ARCH, AND	EXAMINATION	I FEES						
	FILING		SEAF	RCH FEES	EXAMINA	ATION FEES			
A	-	Small Entity	F (*	Small Entity	Een (\$)	Small Entity	Fees Paid (\$)		
Application Type	Fee (\$) 300	Fee (\$) 150	<u>Fee (\$</u> 500) <u>Fée (\$)</u> 250	<u>F⊕e (\$)</u> 200	Fee (\$) 100	Leas Edia (4)		
Utility	200	100	100	50	130	65	····		
Design	200	100	300	150	160	80			
Plant		150	500	250	600	300			
Reissue	300			0	0	0			
Provisional	200	100	0	U	U		mall Entity		
2. EXCESS CLAIM FE	:55					<u>Fee (\$)</u>	Fee (\$)		
Fee Description Each claim over 20 (inc	-Indina Reis	anea)				50	25		
Each independent claim			s)			200	100		
Multiple dependent cla			-,			360	180		
Total Claims	Extra Cla		(\$) <u>Fe</u>	es Paid (\$)			ndent Claims		
- 20 or HF		*x				Fee (\$)	Fee Paid (\$)		
HP = highest number of total of Indep. Claims	aaims paid for, l Extra Cla		\$) Fe	es Paid (\$)					
- 3 or HP	-	x	=				,		
HP = highest number of indep	-		an S	,					
3. APPLICATION SIZE									
If the specification	and drawin	gs exceed 100 s	heers of	paper (excluding el	ectronically fi	led sequence or	computer		
listings under 37 C	FR 1.52(e))	, the application	size fee	due is \$250 (\$125)	for small entit	y) for each addi	itional 50		
		35 U.S.C. 41(a)(1)(G) a:	nd 37 CFR 1.16(s). additional 50 or fra	ction thereof	Fee (\$)	Fee Paid (\$)		
<u>Total Sheets</u> - 100 =	xtra Sheets	/50=		ound up to a whole n			=		
4. OTHER FEE(S)			<u> </u>			•	Fee Paid (\$)		
Non-English Speci									
Other (e.g., late fil	ing surcharg	e): <u>Statutory D</u>	sclaimer	s (Four (4))			520.00		
SUBMITTED BY									
Signature	my A			Registration No. 31,0 (Attorney/Agent))69	Telephoi	ne 212-596-9000		
Name (Print/Type) Jeffre	y H. Ingem	nan				Date Au	gust 31, 2005		

This collection of Information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form end/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No. EV619619415US

PATENTS 9043MXL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : David V. Zyzak et al.

Application No.: 10/606,137 Confirmation No.: 3971

Filed : June 25, 2003

FOR : METHOD FOR REDUCING ACRYLAMIDE IN

FOODS, FOODS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE

Art Unit : 1761

Examiner : Keith D. Hendricks

Mail Stop RCE Hon. Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(b,c)

Sir:

THE PROCTER & GAMBLE COMPANY, a corporation of the State of Ohiohaving an office and place of business at 6090 Center Hill Avenue, Cincinnati, Ohio 45224, represents that it is the assignee of record of the entire, right, title and interest, by assignment, of the following pending United States patent applications:

1. Application No. 10/606,137, filed June 25, 2003, for "METHOD FOR REDUCING ACRYLAMIDE IN FOODS, FOODS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE." An assignment of the '137 application by the inventors to THE

PROCTER & GAMBLE COMPANY was recorded on October 31, 2003 at Reel 14641, Frames 544-47.

2. Application No. 10/603,279, filed June 25, 2003, for "METHOD FOR REDUCING ACRYLAMIDE IN CORN-BASED FOODS, CORN-BASED FOODS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE." An assignment of the '279 application by the inventors to THE PROCTER & GAMBLE COMPANY was recorded on October 31, 2003 at Reel 14641, Frames 514-18.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, hereby disclaims the terminal portion of the term of any patent to be issued on the present application, Application No. 10/606,137, which would extend beyond the expiration date of the full statutory term of any patent to be issued on said Application No. 10/603,279, in the event that said patent to be issued on said Application No. 10/603,279 were to issue before said patent to be issued on said Application No. 10/606,137.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, agrees that any patent to be issued on the present Application No. 10/606,137 shall be enforceable only for and during such period as the legal title to such patent shall be the same as the legal title to said patent to be issued on said Application No. 10/603,279, this agreement to run with any patent to be issued on Application No. 10/606,137 and to

It is applicants' and assignee's intention that if said patent to be issued on said Application No. 10/603,279 issues before any patent to be issued on the above-identified Application No. 10/606,137, and if any change in the patent statutes changes the expiration date of said patent to be issued on said Application No. 10/603,279 to a later date, or if said patent to be issued on said Application No. 10/603,279 is hereafter awarded patent term adjustment under 35 U.S.C. \$ 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along with the expiration date of said patent to be issued on said Application No. 10/603,279.

be binding upon the grantee of such patent and its successors and assigns.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, does not disclaim any terminal part of the term of any patent, to be issued on the above-identified Application No. 10/606,137, that would extend to the expiration date of the full statutory term of said patent to be issued on said Application No. 10/603,279, in the event that said patent to be issued on said Application No. 10/603,279 (1) issues before any patent to be issued on the above-identified Application No. 10/606,137 and (2)(a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a,b), (e) has all claims cancelled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The undersigned hereby states and certifies that:

- 1. He is an attorney of record in the aboveidentified patent application and is authorized to act on behalf of assignee corporation in connection with said application; and
- 2. The relevant evidentiary documents have been reviewed and, to the best of the undersigned's and assignee's

It is applicants' and assignee's intention that if said patent to be issued on said Application No. 10/603,279 issues before any patent to be issued on the above-identified Application No. 10/606,137, and if any change in the patent statutes changes the expiration date of said patent to be issued on said Application No. 10/603,279 to a later date, or if said patent to be issued on said Application No. 10/603,279 is hereafter awarded patent term adjustment under 35 U.S.C. § 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along with the expiration date of said patent to be issued on said Application No. 10/603,279.

knowledge and belief, title to the above-identified Application No. 10/606,137 is in assignee.

THE PROCTER & GAMBLE COMPANY

Date

By:

Jeffrey H. Ingerman
Reg. No. 31,069
Attorney for Applicants
and Assignee
Customer No. 1473
FISH & NEAVE IP GROUP
ROPES & GRAY LLP
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

Express Mail Label No. EV619619415US

> PATENTS 9043MXL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : David V. Zyzak et al.

Application No.: 10/606,137 Confirmation No.: 3971

Filed : June 25, 2003

FOR : METHOD FOR REDUCING ACRYLAMIDE IN

FOODS, FOODS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE

Art Unit : 1761

Examiner : Keith D. Hendricks

Mail Stop RCE Hon. Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(b,c)

Sir:

THE PROCTER & GAMBLE COMPANY, a corporation of the State of Ohiohaving an office and place of business at 6090 Center Hill Avenue, Cincinnati, Ohio 45224, represents that it is the assignee of record of the entire, right, title and interest, by assignment, of the following pending United States patent applications:

1. Application No. 10/606,137, filed June 25, 2003, for "METHOD FOR REDUCING ACRYLAMIDE IN FOODS, FOODS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE." An assignment of the '137 application by the inventors to THE

PROCTER & GAMBLE COMPANY was recorded on October 31, 2003 at Reel 14641, Frames 544-47.

2. Application No. 10/603,978, filed June 25, 2003, for "METHOD FOR REDUCING ACRYLAMIDE IN FOODS COMPRISING REDUCING THE LEVEL OF REDUCING SUGARS, FOODS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE." An assignment of the '978 application by the inventors to THE PROCTER & GAMBLE COMPANY was recorded on October 31, 2003 at Reel 14641, Frames 651-52.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, hereby disclaims the terminal portion of the term of any patent to be issued on the present application, Application No. 10/606,137, which would extend beyond the expiration date of the full statutory term of any patent to be issued on said Application No. 10/603,978, in the event that said patent to be issued on said Application No. 10/603,978 were to issue before said patent to be issued on said Application No. 10/606,137.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, agrees that any patent to be issued on the present Application No. 10/606,137 shall be enforceable only for and during such period as the legal title to such patent shall be the same as the legal title to said patent to be issued on said Application No. 10/603,978, this agreement to run with any patent to be issued on Application No. 10/606,137 and to

It is applicants' and assignee's intention that if said patent to be issued on said Application No. 10/603,978 issues before any patent to be issued on the above-identified Application No. 10/606,137, and if any change in the patent statutes changes the expiration date of said patent to be issued on said Application No. 10/603,978 to a later date, or if said patent to be issued on said Application No. 10/603,978 is hereafter awarded patent term adjustment under 35 U.S.C. § 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along with the expiration date of said patent to be issued on said Application No. 10/603,978.

be binding upon the grantee of such patent and its successors and assigns.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, does not disclaim any terminal part of the term of any patent, to be issued on the above-identified Application No. 10/606,137, that would extend to the expiration date of the full statutory term of said patent to be issued on said Application No. 10/603,978, in the event that said patent to be issued on said Application No. 10/603,978 (1) issues before any patent to be issued on the above-identified Application No. 10/606,137 and (2)(a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a,b), (e) has all claims cancelled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The undersigned hereby states and certifies that:

- 1. He is an attorney of record in the aboveidentified patent application and is authorized to act on behalf of assignee corporation in connection with said application; and
- 2. The relevant evidentiary documents have been reviewed and, to the best of the undersigned's and assignee's

It is applicants' and assignee's intention that if said patent to be issued on said Application No. 10/603,978 issues before any patent to be issued on the above-identified Application No. 10/606,137, and if any change in the patent statutes changes the expiration date of said patent to be issued on said Application No. 10/603,978 to a later date, or if said patent to be issued on said Application No. 10/603,978 is hereafter awarded patent term adjustment under 35 U.S.C. § 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along with the expiration date of said patent to be issued on said Application No. 10/603,978.

knowledge and belief, title to the above-identified Application No. 10/606,137 is in assignee.

THE PROCTER & GAMBLE COMPANY

Date

Rv

Jeffrey H. Ingerman
Reg. No. 31,069
Attorney for Applicants
and Assignee
Customer No. 1473
FISH & NEAVE IP GROUP
ROPES & GRAY LLP
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000

Express Mail Label No. EV619619415US

> PATENTS 9043MXL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : David V. Zyzak et al.

Application No.: 10/606,137 Confirmation No.: 3971

: June 25, 2003 Filed

: METHOD FOR REDUCING ACRYLAMIDE IN For

FOODS, FOODS HAVING REDUCED LEVELS OF

ACRYLAMIDE, AND ARTICLE OF COMMERCE

: 1761 Art Unit

: Keith D. Hendricks Examiner

Mail Stop RCE Hon. Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

> TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b,c)

Sir:

THE PROCTER & GAMBLE COMPANY, a corporation of the State of Ohiohaving an office and place of business at 6090 Center Hill Avenue, Cincinnati, Ohio 45224, represents that it is the assignee of record of the entire, right, title and interest, by assignment, of the following pending United States patent applications:

Application No. 10/606,137, filed June 25, 2003, for "METHOD FOR REDUCING ACRYLAMIDE IN FOODS, FOODS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE. An assignment of the '137 application by the inventors to THE

٠.,,

PROCTER & GAMBLE COMPANY was recorded on October 31, 2003 at Reel 14641, Frames 544-47.

2. Application No. 10/603,973, filed June 25, 2003, for "METHOD FOR REDUCTION OF ACRYLAMIDE IN ROASTED COFFE BEANS, ROASTED COFFEE BEANS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE." An assignment of the '973 application by the inventors to THE PROCTER & GAMBLE COMPANY was recorded on October 31, 2003 at Reel 14641, Frames 494-98.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, hereby disclaims the terminal portion of the term of any patent to be issued on the present application, Application No. 10/606,137, which would extend beyond the expiration date of the full statutory term of any patent to be issued on said Application No. 10/603,973, in the event that said patent to be issued on said Application No. 10/603,973 were to issue before said patent to be issued on said Application No. 10/606,137.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, agrees that any patent to be issued on the present Application No. 10/606,137 shall be enforceable only for and during such period as the legal title to such patent shall be the same as the legal title to said patent to be issued on said Application No. 10/603,973, this agreement to run with any patent to be issued on Application No. 10/606,137 and to

It is applicants' and assignee's intention that if said patent to be issued on said Application No. 10/603,973 issues before any patent to be issued on the above-identified Application No. 10/606,137, and if any change in the patent statutes changes the expiration date of said patent to be issued on said Application No. 10/603,973 to a later date, or if said patent to be issued on said Application No. 10/603,973 is hereafter awarded patent term adjustment under 35 U.S.C. § 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along with the expiration date of said patent to be issued on said Application No. 10/603,973.

be binding upon the grantee of such patent and its successors and assigns.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, does not disclaim any terminal part of the term of any patent, to be issued on the above-identified Application No. 10/606,137, that would extend to the expiration date of the full statutory term of said patent to be issued on said Application No. 10/603,973, in the event that said patent to be issued on said Application No. 10/603,973 (1) issues before any patent to be issued on the above-identified Application No. 10/606,137 and (2)(a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a,b), (e) has all claims cancelled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The undersigned hereby states and certifies that:

- 1. He is an attorney of record in the aboveidentified patent application and is authorized to act on behalf of assignee corporation in connection with said application; and
- 2. The relevant evidentiary documents have been reviewed and, to the best of the undersigned's and assignee's

It is applicants' and assignee's intention that if said patent to be issued on said Application No. 10/603,973 issues before any patent to be issued on the above-identified Application No. 10/606,137, and if any change in the patent statutes changes the expiration date of said patent to be issued on said Application No. 10/603,973 to a later date, or if said patent to be issued on said Application No. 10/603,973 is hereafter awarded patent term adjustment under 35 U.S.C. § 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along with the expiration date of said patent to be issued on said Application No. 10/603,973.

knowledge and belief, title to the above-identified. Application No. 10/606,137 is in assignee.

THE PROCTER & GAMBLE COMPANY

8/24/05

Bv:

Jeffrey H. Ingerman
Reg. No. 31,069
Attorney for Applicants
and Assignee
Customer No. 1473
FISH & NEAVE IP GROUP
ROPES & GRAY LLP
1251 Avenue of the Americas
New York, New York 10020-1105

Tel.: (212) 596-9000

Express Mail Label No. EV619619415US

PATENTS 9043MXL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : David V. Zyzak et al.

Application No.: 10/606,137 Confirmation No.: 3971

Filed : June 25, 2003

For : METHOD FOR REDUCING ACRYLAMIDE IN

FOODS, FOODS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE

Art Unit : 1761

Examiner : Keith D. Hendricks

Mail Stop RCE Hon. Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(b,c)

sir:

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1. Application No. 10/606,137, filed June 25, 2003, for "METHOD FOR REDUCING ACRYLAMIDE IN FOODS, FOODS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE "An assignment of the '137 application by the inventors to THE

PROCTER & GAMBLE COMPANY was recorded on October 31, 2003 at Reel 14641, Frames 544-47.

2. Application No. 10/606,260, filed June 25, 2003, for "METHOD FOR REDUCING ACRYLAMIDE IN FOODS, FOODS HAVING REDUCED LEVELS OF ACRYLAMIDE, AND ARTICLE OF COMMERCE." An assignment of the '260 application by the inventors to THE PROCTER & GAMBLE COMPANY was recorded on October 31, 2003 at Reel 14641, Frames 548-51.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, hereby disclaims the terminal portion of the term of any patent to be issued on the present application, Application No. 10/606,137, which would extend beyond the expiration date of the full statutory term of any patent to be issued on said Application No. 10/606,260, in the event that said patent to be issued on said Application No. 10/606,260 were to issue before said patent to be issued on said Application No. 10/606,137.*

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, agrees that any patent to be issued on the present Application No. 10/606,137 shall be enforceable only for and during such period as the legal title to such patent shall be the same as the legal title to said patent to be issued on said Application No. 10/606,260, this agreement to run with any patent to be issued on Application No. 10/606,137 and to

It is applicants' and assignee's intention that if said patent to be issued on said Application No. 10/606,260 issues before any patent to be issued on the above-identified Application No. 10/606,137, and if any change in the patent statutes changes the expiration date of said patent to be issued on said Application No. 10/606,260 to a later date, or if said patent to be issued on said Application No. 10/606,260 is hereafter awarded patent term adjustment under 35 U.S.C. \$ 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along Application No. 10/606,260.

be binding upon the grantee of such patent and its successors and assigns.

The undersigned, on behalf of THE PROCTER & GAMBLE COMPANY, does not disclaim any terminal part of the term of any patent, to be issued on the above-identified Application No. 10/606,137, that would extend to the expiration date of the full statutory term of said patent to be issued on said Application No. 10/606,260, in the event that said patent to be issued on said Application No. 10/606,260 (1) issues before any patent to be issued on the above-identified Application No. 10/606,137 and (2)(a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a,b), (e) has all claims cancelled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The undersigned hereby states and certifies that:

- 1. He is an attorney of record in the aboveidentified patent application and is authorized to act on behalf of assignee corporation in connection with said application; and
- 2. The relevant evidentiary documents have been reviewed and, to the best of the undersigned's and assignee's

It is applicants' and assignee's intention that if said patent to be issued on said Application No. 10/606,260 issues before any patent to be issued on the above-identified Application No. 10/606,137, and if any change in the patent statutes changes the expiration date of said patent to be issued on said Application No. 10/606,260 to a later date, or if said patent to be issued on said Application No. 10/606,260 is hereafter awarded patent term adjustment under 35 U.S.C. § 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along with the expiration date of said patent to be issued on said Application No. 10/606,260.

knowledge and belief, title to the above-identified Application No. 10/606,137 is in assignee.

THE PROCTER & GAMBLE COMPANY

Date

By:

Jeffrey H. Ingerman

Reg. No. 31,069

Attorney for Applicants

and Assignee Customer No. 1473 FISH & NEAVE IP GROUP ROPES & GRAY LLP

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IN RE APPLICATION NUMBER: 10/606,137
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/606,137 (Conf. No. 3971) Application Number June 25, 2003 Filing Date TRANSMITTAL David V. Zyzak et al. First Named Inventor **FORM** 1761 Art Unit Keith D. Hendricks Examiner Name (to be used for all correspondence after initial filling) Attorney Docket Number 9043MXL Total Number of Pages In This Submission (Check all that apply) **ENCLOSURES** After Allowance Communication to 7 C Drawing(s) Fee Transmittal Form ppeal Communication to Board of Appeals and Interferences Licensing-related Papers Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Roply Brief) Petition Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Status Letter Power of Attorney, Revocation Affidavits/declaration(8) Change of Correspondence Address Other Enclosure(s) (please Identify below): Terminal Disdalmer (Four (4)) Resubmission of Terminal Extension of Time Request Disclaimers Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Customer No. 1473 Firm Name Signature Jeffréy H. Ingerman Printed name Reg. No. 31.069 August 31, 2005 Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being tacsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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PATENTS 9043MXL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : David V. Zyzak et al.

Application No.: 10/606,137 Confirmation No.: 3971

Filed : June 25, 2003

For : METHOD FOR REDUCING ACRYLAMIDE IN

FOODS, FOODS HAVING REDUCED LEVELS OF

ACRYLAMIDE, AND ARTICLE OF COMMERCE

Art Unit : 1761

Examiner : Keith D. Hendricks

New York, New York 10020

August 31, 2005

Hon. Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

RESUBMISSION OF TERMINAL DISCLAIMERS

Sir:

On August 22, 2005, applicants submitted in the above-identified patent application, along with other papers, five (5) terminal disclaimers, respectively disclaiming the terminal portion of the term of any patent to be granted on the above-identified patent application beyond the terms of any patents to be granted on U.S. Patent Applications Nos. 10/603,278, 10/603,279, 10/603,973, 10/603,978 and 10/606,260. Applicants have checked the record of this application in the PAIR system and all of the papers filed on August 22, 2005 appear in the record of the application and its Image File Wrapper, except that of the five (5) terminal disclaimers filed, only the terminal disclaimer relative to

Application No. 10/603,278 appears. Accordingly, applicants: herewith resubmit the terminal disclaimers relative to Applications Nos. 10/603,279, 10/603,973, 10/603,978 and 10/606,260.

Respectfully submitted,

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